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RICHMOND, VA., TUESDAY, JUNE 26, 1906.

FINGER OF TRUST IN RATE REPORT

Standard Oil Manipulated Conference and Had Provision Changed.

TILLMAN MAKES CHARGE IN SENATE

Lodge Agrees With South Carolinian That Effect Will Be to Let Combination Out of Operation of Law—Anti-Pass Provision.

(By Associated Press.)
WASHINGTON, June 25.—When the Senate met to-day the clerk of the House announced the action of that body on the railroad rate bill, but it was allowed to lie on the Vice-President's desk until 2:30 P. M. when it was called up by Senator Tillman. Mr. Tillman called attention to the fact that his name was not attached. He said he was opposed to the agreement concerning one amendment, to which he would later move that the Senate disagree. He had reference to the McLaughlin amendment divorcing the carrying and producing business, which was amended so that it does not apply to pipe lines.

The change in this amendment, the South Carolinian declared, "in plain English, meant that the Standard Oil had got in its work." The agreement retained the Standard Oil Company from control and regulation of the Interstate Commerce Commission.

Smet a Mouse.

When the bill was sent to conference the second time, Senator Tillman said he found an entirely different atmosphere from that of the first conference, as the House conference insisted upon opening up the whole subject, including all matters which an agreement had been reached.

"Then I began to smell a mouse or something," he said.

Mr. Tillman contended that the change of the words "common carriers" to "railroads" would simply destroy the effect of making pipe lines common carriers. By this change the divorcement of transportation from production would be confined to railroads, thus relieving the Standard Oil Company from the operation of the requirement that transportation companies shall not carry articles produced by themselves.

So firmly was he convinced of the instrumentality of the Standard Company in securing this change that in the end, every Senator who voted for the conference report would have a "O. O." branded on his forehead.

"He did not mean to vote for it because he did not want anybody saying, 'You've got a O. O. branded on your forehead,' Ben Tillman. He considered the independent companies, whose interests are supposed to be involved, to be myths."

To Let Standard Out.

Senator Lodge agreed with Mr. Tillman that the purpose of the change from "common carriers" to "railroads" was the change made by the conference committee to making the Standard Oil Company the only exception to the requirement that producers shall not transport their own articles. He did not charge the Standard Company with a direct effort to influence legislation, but to the frightened independence of the Standard Oil Company, he said, "let it be."

He believed that all of the agitation in the interest of the independent companies had been instigated by the Standard Oil.

Senator Bailey took the position that the change made by the Conference Committee in the commodity provision would nullify the pipe line provision of the Standard Oil Company, the only exception to the requirement that producers shall not transport their own articles. He did not charge the Standard Company with a direct effort to influence legislation, but to the frightened independence of the Standard Oil Company, he said, "let it be."

"If," he said, "the Standard Company wishes to be a producer, a transporter or a refiner, let it engage in either of those lines of effort, but don't let it monopolize all those branches of the oil industry."

He thought the independent companies should embrace the opportunity to free themselves.

Foraker's Defense.

Senator Foraker contended that there was no proper analogy between a railroad and a pipe line. As a rule, he said, pipe lines are not built with the view of doing a carrying business for hire, which is not the case with railroads.

He believed that to retain the commodity provision as it passed the House would be to confiscate property, and that, therefore, it would not have been sustained by the courts; hence he was going to say that he thought the conference had acted wisely at the risk of being branded in the estimation of Mr. Tillman as being influenced by the Standard Oil Company.

Senator Cullom, one of the conferees, agreed with Mr. Tillman that the conference report was not good, and that, therefore, it would not have been sustained by the courts; hence he was going to say that he thought the conference had acted wisely at the risk of being branded in the estimation of Mr. Tillman as being influenced by the Standard Oil Company.

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CAUCUS NAMES CITY OFFICERS

Gordon and Phillips on the New Board of Health.

PRESENT MEMBERS ARE ALL RETAINED

Superintendent Henry Cohn Sweeps Aside Opposition for Head of Street Cleaning Department, and Defeats Competitor Nearly 3 to 1.

New Board of Health.

Dr. W. H. Oppenheimer, Dr. M. D. Hoge, Jr., Dr. R. D. Garcia, Mr. J. E. Phillips, Mr. James R. Gordon.

After hearing Messrs. Joseph Bryan and John C. Freeman briefly in favor of the proposition of the Confederate Memorial Association to join the Council in erecting an auditorium, the joint caucus of the two branches of the Council proceeded last night to nominate candidates for all city officers to be filed by the body, including the five members of the new Board of Health. There were but few fights, and nearly all the incumbents were again chosen without opposition.

Henry Cohn won out as Superintendent of Street Cleaning by a vote of 40 to 15 over his competitor, Mr. Johnson J. Walton, and it required but one ballot to select the five members of the Board of Health.

Those chosen were Drs. W. H. Oppenheimer, Moses D. Hoge and Ramon D. Garcia (incumbents), and former Aldermen James T. Gordon and Mr. James E. Phillips, Jr.

The other gentlemen placed in nomination were Dr. George Ben Johnston and Messrs. E. T. D. Myers and E. L. Bemiss.

All Well Known.

The three physicians chosen last night and who constitute the present board are too well known to the public to require any special mention here.

The ordinance creating the new board requires that at least three of the members shall be medical doctors, and Drs. Oppenheimer, Hoge and Garcia won with great ease.

Mr. Gordon is a strong business man, and an enterprising citizen of fine judgment.

Mr. Phillips is a contracting plumber, and will be of infinite value to the body on account of his knowledge of this technical line of work.

It is said that Dr. Oppenheimer and Garcia merely sought vindication through re-election, and that the may be Dr. Hoge will almost certainly be made chairman.

His Victory Complete.

The victory won by Superintendent Henry Cohn, of the street cleaning department, was complete, his opponent getting but fifteen votes out of fifty-five cast.

Mr. Cohn is serving his fifth year as superintendent, and has given entire satisfaction. He has made a most diligent and faithful record and has introduced many valuable reforms relating to the work of street cleaning.

Among the "standbys" who were renominated by acclamation, and whose names it seemed everybody wished to present, were Police Justice John J. Crutchfield and City Clerk Ben Tallaferrero August.

The caucus lasted about two hours, and there was a heavy attendance of well-recognized members of the "third house."

Session in Detail.

Mr. G. K. Pollock called the caucus to order at 8:25 P. M., and more than a quorum of the members of both branches answered to their names.

The caucus was permanently organized by the election of the following officers: Wm. M. Turpin, chairman; Ben T. August, secretary; Geo. C. Russell, sergeant-at-arms.

President R. Lee Peters moved that Messrs. Joseph Bryan and John C. Freeman be heard in the interest of the proposed McLaughlin amendment of the Confederate Memorial Association.

Mr. Bryan was first heard, and he first read the statement of the Confederate Memorial Association, already printed, setting out the offer of association with the city, for an up-to-date auditorium in connection with the proposed Confederate Memorial building.

Mr. Bryan spoke earnestly in favor of the suggestion, and he pointed out how the scheme would be consummated in the interest of the city as well as the Confederate Memorial Association. He told

(Continued on Second Page.)

GOVERNMENT CANNOT CONTROL INSURANCE

Senate Committee on Judiciary Makes Unanimous Report in Single Sentence.

(By Associated Press.)
WASHINGTON, June 25.—Congress has no right to regulate insurance, according to the Senate Committee on the Judiciary. A report from that committee was presented to-day to this effect by Senator Spooner. The report was made on a resolution instructing the committee to inquire whether Congress has such a right. The report was very brief and ran as follows:

"The Committee on the Judiciary beg leave to report that it is the unanimous opinion of the committee that the Congress is without authority under the Constitution to supervise and regulate the business of marine, fire and life insurance except in the District of Columbia, the Territories and the naval possessions of the United States."

The committee promises to give its reasons at a later date. The report went to the calendar.

Mr. Lodge also found fault with the insurance provision on the ground of discrimination.

"It actually authorizes and invites a method of discrimination which constitutes a valuable rebate in favor of a favored shipper," he declared. "It strikes at the

(Continued on Third Page.)

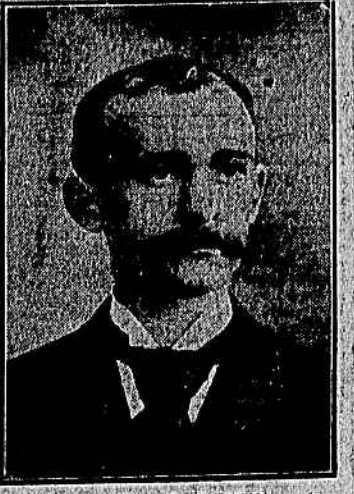
MEMBERS OF NEW BOARD OF HEALTH OF RICHMOND NOMINATED IN CAUCUS OF COUNCIL LAST NIGHT



DR. W. T. OPPENHEIMER.



DR. M. D. HOGE, JR.



DR. RAMON D. GARCIA.



MR. JAMES E. PHILLIPS.

MEDICAL SCHOOLS STILL FAR APART

Dr. Stuart McGuire Will Not Desert University College of Medicine.

A FIGHT TO THE BITTER END

Dr. Hazen Says Norfolk is Working to Get Medical Department of University of Virginia.

At the meeting held by the faculty of the Medical College of Virginia last night the proposed plan of consolidation with the University College of Medicine was laid upon the table, and the matter was not discussed, although the same committee of six, composed of Drs. Hazen, Taylor, Hoxley and Messrs. A. C. Braxton, Bemiss and Beverly Crump, was continued.

It is understood that this may mean that a further attempt will be made to bring about the amalgamation of the two medical schools, especially since recent utterances on the part of members of both faculties have shown how vital it is for the future welfare of Richmond that the colleges be united.

It was rumored on the streets yesterday that the Medical College of Virginia had made overtures to four or five members of the faculty of the University College of Medicine with a view towards forming a combination without including the other members of the faculty. It was said that Dr. Stuart McGuire was one of those approached, and that in the event of his accepting the proposition the presidency of the new medical school would be offered to him.

What Dr. McGuire Says.

Dr. Stuart McGuire was asked last night if the rumor was true. He declined to answer either "yes" or "no," but said:

"While I am very much disappointed at the failure of my faculty to vote for the plan of consolidation, I will remain with the University College of Medicine. It will now be a fight to the finish between the two medical schools, and the one that can command the most money and brains will win out."

Dr. Charles M. Hazen, who has been most active on the part of the Medical College of Virginia to bring about a consolidation, said last night that his college had gone to work for next session's business. He explained that in his opinion and in the opinion of nearly all unprejudiced members of the medical profession in Richmond, a great mistake had been made in failing to amalgamate.

Dr. Hazen thinks that Norfolk will step in, while the two Richmond medical schools are fighting, and build up a great medical college, which will enjoy the benefits of the excellent hospitals of Norfolk as well as the fine marine clinic which the city affords.

Dr. Hazen said that the two medical schools of Richmond do not get together, because of the heavy practical hustling business men, will form a great medical college, which will become the medical department of the University of Virginia.

"It will be a case of the old story of the dogs and the bone. While the two colleges here are fighting, Norfolk will land the prize."

JOHNSON TO PRESIDE; WATTERSON TO SPEAK

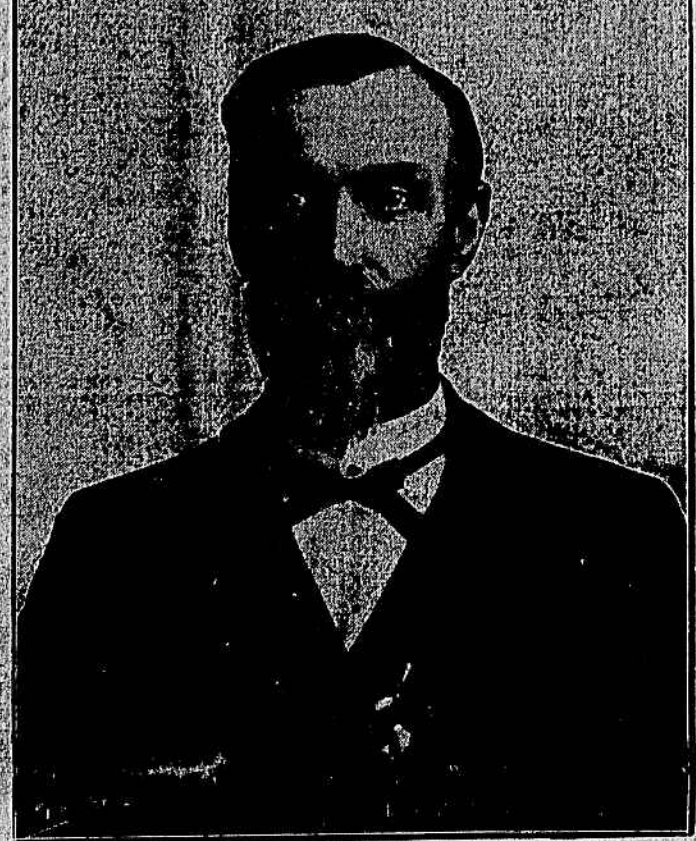
(By Associated Press.)
NEW YORK, June 25.—Mayor Tom L. Johnson, of Cleveland, has accepted an invitation to preside at the reception to William J. Bryan in Madison Square Garden on Mr. Bryan's return to this country. Henry Watterston will deliver an address on behalf of the South, and Alexander Troup, of New Haven, Conn., will speak in the name of the East. The name of the speaker for the West has not been announced.

Japan Will Take Part.

(By Associated Press.)
LONDON, June 25.—A dispatch from Tokyo, June 25th, to the Daily Telegraph, says the Japanese admiral has replied to the invitation extended to Admiral Togo to attend the Jamestown Exposition by sending a fleet abroad, but that should next year's Diet vote the money a fleet will be dispatched, according to the wish of the United States.

Corey Wants Suit Dismissed.

(By Associated Press.)
RENO, NEVADA, June 25.—William E. Corey, president of the United States Steel Corporation, this afternoon filed an answer to the petition of Mrs. Corey for divorce. He denies that she is a legal resident of Nevada, and further denies that he ever abandoned her. He asked that her suit be dismissed.



MR. JAMES R. GORDON.

CLEVELAND ICE MEN GO TO JAIL

Prominent and Wealthy Dealers Fined Heavily and Sentenced to Workhouse.

GOT MAXIMUM PUNISHMENT

Judge Will Lessen Sentence if They Restore Money to Multied Public.

(By Associated Press.)
TOLEDO, OHIO, June 25.—In Common Pleas Court to-day, Judge Kinkade imposed the maximum sentence of \$5,000 fine and one year in the workhouse on five ice men, guilty of conspiracy, in restraint of trade.

The men sentenced are Joseph M. Miller, who was convicted, and R. A. Byrd, R. C. Lemmon, H. P. Breining and Peter H. Waters, who pleaded guilty. The judge said the sentences might be mitigated in the event the men made restitution.

Hearing upon motions in arrest of judgment cannot be had for some time, and the ice men will stand committed until the fines are paid or the sentence is otherwise disposed of.

All Prominent Men.

The five men, all of them prominent in business and social circles, were taken to the county jail to await the making out of the necessary papers to commit them to the workhouse, unless, in the meantime, they meet Judge Kinkade's requirements of restitution to the public.

These men were indicted under the anti-trust law for combining to enforce their trade. Under the pretext that the ice supply was much smaller than in recent years, these dealers combined and advanced prices from fifty to 100 per cent.

They were indicted, and one of them stood trial, but was convicted. The others entered pleas of guilty.

The sentence is the maximum under the law. If they would escape any part of it they must pay back to customers all the overcharges, and must agree to sell ice at the price prior to forming the combination. The law provides for imprisonment, as well as fine, and if the men go to the workhouse they will be put at hard labor. Two or three of them are worth at least \$100,000 each.

Ohio Governor Better.

(By Associated Press.)
COLUMBUS, O., June 25.—Governor Harris returned to the capitol from his home at Eton this evening. He said that he was feeling much better and that he would endeavor to be more discreet in matters that affected his health. The Governor does not show any signs of his sickness. He did not announce any appointments.

COLOMBIA WOULD BUILD OWN CANAL

Little Republic, Backed by Europeans, May Move to Checkmate United States.

TO FOLLOW DARIEN ROUTE

South American Papers Make Emphatic Announcement, but Reports Are Unconfirmed.

(Special to The Times-Dispatch.)
NEW YORK, June 25.—Advices from the United States of Colombia, which are accepted in Spanish-American circles here as having basis in truth, indicate that the Colombian government has decided to undertake a canal enterprise of importance equal to that of the Panama Canal being built by the United States government. The Colombian government, the advice says, has decided to carry out the plan for the Darien route, which lies wholly within its territory, just south of the southern boundary of mountainous Colombia.

It is said the South American Republic probably will have the co-operation of Chile, Peru, Ecuador and Brazil, and that German and English capital to the amount of \$70,000,000 will be put into the enterprise. Representatives of the Colombian government are in the dark as to the decision of the officials of their country. Signor Diego Mendoza, the Colombian minister, who is in this city temporarily, said to-day he had not been advised of the project, but it might be something taken up quickly and decided upon without advising him.

He stated that such a course would be adopted, and he ridiculed the suggestion that the Colombian government had decided to build the canal as an act of reprisal against the United States for the aid it gave to the people of Panama in establishing their republic after they succeeded from Colombia.

Spanish-American papers published in this city have been advised of the purpose of the Colombian government and one of them, La Bannana, makes the positive statement in its issue of this week that Colombia has determined to build the canal.

Cost Government \$100,000.

(By Associated Press.)
WASHINGTON, June 25.—It cost the government \$100,000 to extradite Greco and Gayman and bring them to trial. This statement is in a letter written by Attorney-General Moody to Chairman Tammey explaining a request for a deficiency appropriation.

BRAITHWAITE'S BODY IS FOUND

Mr. Macaulay, of Fulton, Discovers It in Midstream Floating Down the River.

WAS BADLY DECOMPOSED

W. A. Braithwaite, Uncle of Young Man, Will Take Remains to Harrisonburg.

The body of J. B. Braithwaite, the young man who was drowned Saturday evening in James River, a mile below the city, was found yesterday afternoon at four o'clock by Mr. Macaulay, of Fulton, who had been searching for it. The body was in mid-stream, floating down the current about three-quarters of a mile from where the fatality occurred.

The body, which had been in the water since Saturday evening, was badly decomposed. Mr. Macaulay brought it ashore, had it taken to Christian's undertaking establishment, and once it reached the residence of the uncle of the young man, Mr. W. A. Braithwaite, of Harrisonburg, Va., who had arrived in Richmond.

Mr. Braithwaite secured a death certificate from the Board of Health and from Coroner Taylor, and then had the body prepared for its journey to Harrisonburg, where it will be interred by the side of the young man's father. Mr. Braithwaite will leave on the seven o'clock train this morning for his home, taking the body with him.

Mother Was Prostrated.

The uncle arrived in the city yesterday afternoon, and immediately proceeded to the scene of his nephew's death, where he waited until the body was recovered. He brought his wife with him as far as Staunton, and there met Mrs. Braithwaite, mother of the dead boy. Mrs. Braithwaite was prostrated with grief, as the dead youth was her only son. Her husband has been dead for many years, and this sad occurrence was almost more than she could bear.

Mr. Braithwaite than he sent her back with his wife to Harrisonburg, where they will await the arrival of himself and the body.

As soon as he arrives in Harrisonburg, Mr. Braithwaite will have the body prepared for burial, and the funeral will take place probably today or to-morrow.

In speaking of his nephew, Mr. Braithwaite said that he had taken him into his care after the death of the boy's father, and that he and his son had been brought up together, and that the boy had always looked upon him as a father. It was a great shock to Mr. Braithwaite, as it was to all the relatives.

NEW EVIDENCE FOUND AND TRIAL IS HALTED

(By Associated Press.)
NEW YORK, June 25.—The coroner's inquiry into the death of Mrs. Alice C. D. Kinnam, who was beaten to death at her mother's home in the Bronx three weeks ago, was halted suddenly to-day. Coroner McDonald announced that no more witnesses would be examined for the present. He explained that new and important information bearing upon the case had reached him, and that he would spend the entire day in investigating it.

NEED NOT PAY FOR GOODS BOUGHT FROM TRUST

Far-Reaching Decision Along This Line Handed Down in St. Louis.

(By Associated Press.)
ST. LOUIS, June 25.—A notable anti-trust decision was handed down in the Circuit Court to-day by Judge Ryan, who ruled that a purchaser does not have to pay for goods bought from a so-called trust. The Cahill-Swift Manufacturing Company filed suit for \$240 against Joseph F. Walsh, a plumber, on the allegation that Walsh had bought goods to the value of the judgment asked, and had refused to pay for them. Walsh acknowledged that this was true. But his counsel termed the company a "trust," and argued that Walsh did not have to pay for goods bought from a trust any more than he would have to pay a gambling debt. Walsh's defense was based solely upon this anti-trust argument. The court sustained him.

THAW SHOOTS ARCHITECT IN OPERA CROWD

Stanford White Instantly Killed by Pittsburg Millionaire.

GREAT THROG IN WILD STAMPEDE

Women Fainted and People Fought to Get Out of Building.

BOTH MEN WIDELY KNOWN THROUGHOUT THE COUNTRY

White One of Most Famous Architects in United States.

Thaw Placed Under Arrest—Says He Was Defending His Wife.

(Special to The Times-Dispatch.)

NEW YORK, June 25.—Stanford White, architect, millionaire and art connoisseur, was shot and instantly killed to-night during the first performance of "Mamzelle Champagne" at the Madison Square roof garden. The murderer, who was arrested by the police, is Harry K. Thaw, a Pittsburg millionaire.

Three men were with White. They all sat at a table not far from the stage on the Twenty-sixth Street side of the roof, and enjoyed the show, which is one of the conventional summer come opera style, full of fun and dancing. There was a big crowd on the roof and not one vacant seat could be seen anywhere.

Suddenly a tall, well-made young fellow, who had been sitting with a strikingly beautiful young woman at a table near the Madison Avenue end of the roof garden, on the Twenty-sixth Street side, at 11 o'clock, made some excuse to her, and sauntered away. He did not appear to be in any way excited, although persons who sat near him said afterward that he had been peering and staring about the place for many minutes, as if he were searching for some one. The young woman was serene, neither her face nor her manner showing any trace of apprehension.

Shot Him Down.

As the young man strolled among the tables, seemingly at ease, he never ceased to watch Stanford White. Harry Short, a comedian who plays "Feller" Spence, an American theatrical manager, rolled in at Maxims' in Paris, had just finished singing "I Could Love a Million Girls" and the chorus of twenty girls was prancing out on the stage.

At this moment the tall young man drew near to Stanford White and, while he held a revolver out of the breast pocket of his coat. He aimed quickly at White's head and pulled the trigger. He missed. The shot was loud, but no one in the crowd seemed to heed it. Least of all did Stanford White, who was watching the play. In quick succession, the young man fired the revolver twice more. Both bullets entered White's back and he pitched forward in a heap on the floor.

Thaw was singularly calm. "Well, he ruined my wife, and I got him," he remarked, as he strolled away, still holding the pistol in his right hand. No one in the audience was alarmed by the three shots, for only a little while before one of the girls of the "Mamzelle Champagne" Company had run up one of the aisles and jumped up on the stage, and the crowd thought the show were simply some more of the play. But a young woman who sat at the next table on White's right, seeing the limp body and watching the face grow pale, jumped up and screamed.

"Oh, my God! He's dead," she cried.

People in Wild Panic.

Instantly the thousand men and women leaped to their feet and rushed toward the exits. The people on the stage halted in confusion, but the orchestra kept on playing the music for the dance that should follow Harry Short's song.

Lionel Lawrence, the stage manager, jumped upon a table and yelled to the excited crowd: "Keep still! It's all right!"

But the well-dressed men and women did not seem for nearly a minute to tramp one another in their wild flight. Presently some sense of shame stopped them, and the crush ceased.

Manager Lawrence ordered the chorus to dance, and the twenty girls began to creep to the music. A few seconds later Lawrence climbed over the footlights and began to push the chorus people away, crying: "Clear the stage." Dr. Sechter, summoned from the audience, pronounced Mr. White dead. Two waiters spread a tablecloth over the body. Manager Lawrence then turned to the audience: "Ladies and gentlemen, a most serious accident has occurred. Please leave the house as quickly and quietly as possible."

Placed Under Arrest.

The crowd began to move away. A dozen women who had fainted were revived. As Thaw with the revolver approached one of the elevators, Fireman Paul Bruger, of Engine Company No. 1, detailed at the show, grabbed the pistol from his hand. He made no resistance, but stepped into the elevator.

"He deserved it," Thaw said very calmly to Bruger. "He deserved that, and I can prove it. He ruined my wife and left her helpless." He said no more.

Policeman Debbis, of the Tenderloin command, hurried into the elevator and